

E-Filed on 10/14/09

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11 Attorneys for USACM Liquidating Trust

12 **UNITED STATES BANKRUPTCY COURT  
13 DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 USA CAPITAL REALTY ADVISORS,  
18 LLC,<sup>1</sup>

19 USA CAPITAL DIVERSIFIED TRUST  
20 DEED FUND, LLC,

21 USA CAPITAL FIRST TRUST DEED  
22 FUND, LLC,<sup>2</sup>

23 USA SECURITIES, LLC,<sup>3</sup>

24 Debtors.

25 **Affects:**

26  All Debtors  
 USA Commercial Mortgage Company  
 USA Capital Realty Advisors, LLC  
 USA Capital Diversified Trust Deed Fund, LLC  
 USA Capital First Trust Deed Fund, LLC  
 USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING  
FOURTH OMNIBUS OBJECTION OF  
USACM LIQUIDATING TRUST TO  
PROOFS OF CLAIM BASED IN  
WHOLE OR IN PART UPON  
INVESTMENT IN THE SHAMROCK  
TOWER LP LOAN**

Date of Hearing: November 13, 2009  
Time of Hearing: 9:30 a.m.

25 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
26 THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
CLAIM TO THE EXTENT IT IS BASED UPON INVESTMENT IN THE  
SHAMROCK TOWER LP LOAN. THIS OBJECTION WILL NOT IMPACT**

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1           **YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A  
2           DIFFERENT LOAN.**

3           **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
4           COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
5           REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
6           SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING  
7           GROUP, LLC (602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

8           **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
9           Fourth Omnibus Objection of the USACM Liquidating Trust to Proofs of Claim Based In  
10           Whole or In Part Upon Investment in the Shamrock Tower LP Loan (the “Objection”).  
11           Your Proof of Claim number and other information regarding your claim, is provided in  
12           **Exhibit A**, attached. The USACM Liquidating Trust has requested that this Court enter an  
13           order, pursuant to Bankruptcy Code § 502 and Bankruptcy Rule 3007, disallowing your  
14           claim to the extent it is based upon an investment in Shamrock Tower LP Loan. The  
15           Objection will not impact your Claim to the extent it is based upon an investment in a  
16           different loan.

17           **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
18           before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
19           Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
20           **November 13, 2009, at the hour of 9:30 a.m.**

21           **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON  
22           NOVEMBER 13, 2009, WILL BE HELD FOR THE PURPOSE OF STATUS  
23           CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO  
24           ARGUMENTS WILL BE HEARD ON THAT DATE.**

25           **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
26           by **November 6, 2009**, pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: October 14, 2009.

LEWIS AND ROCA LLP

By /s/ Marvin Ruth (#10979)  
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Attorneys for the USACM Liquidating Trust

Copy of the foregoing and pertinent portion of Exhibit A mailed by first class postage prepaid U.S. Mail on October 14, 2009 to:

Parties listed on Exhibit A attached.

LEWIS AND ROCA LLP

/s/ Leilani Lista  
Leilani Lista